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FEB 9 7 2012

PTO/SB/66 (03-09)

Approved for use through 09/30/2012. OMB 0651-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))

Docket Number (Optional)

53169A US01

Mail to: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 Fax: (571) 273-8300

 02/10/2012 DALLEN 00000004 034000 6670147
 01 FC:1599 4490.00 DA

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,870,147

Application Number 09/256,237

Issue Date 12/30/2003

Filing Date 02/24/1999

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above - identified patent

<input type="checkbox"/>	Is a reissue of original Patent No. _____	original issue date _____
	original application number _____	
	original filing date _____	
<input type="checkbox"/>	resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____	
	filed on _____	

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

2/7/12

Date

Erin Streiff

Signature

Erin Streiff

Typed or Printed Name of Person Signing Certificate

03/23/2012 CKHLOK 00000003 034000 6670147

[page 1 of 3]

01 FC:1552 2850.00 DA

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain a benefit by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Times will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. Adjustment Date: 03/23/2012 CKHLOK

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01 FC:1599 4490.00 CR

PAGE 1/4 * RCVD AT 2/7/2012 5:05:40 PM [Eastern Standard Time] * SVR:W-PTOFAX-003/15 * DNIS:2738300 * CSID:95107057690 * DURATION (mm:ss):02:07

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PTO/SB/88 (03-09)

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1. SMALL ENTITY

 Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

 Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input type="checkbox"/> \$ _____	3 ½ yr fee	(2551)
<input checked="" type="checkbox"/> \$ 2850	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 2850

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 1640

5. MANNER OF PAYMENT

 Enclosed is a check for the sum of \$ _____ Please charge Deposit Account No. 034000 the sum of \$ 4490 Payment by credit card. Form PTO-2D3B is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

 The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 034000

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7. OVERPAYMENT

As to any overpayment made please

OR

 Credit to Deposit Account No. 034000 Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent). Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED



 Signature(s) of Petitioner(s)

February 7, 2012

Fernando Santos

Date

Typed or printed name(s)

57822

510-705-7901

Registration Number, if applicable

Telephone Number

800 Dwight Way

Address

Berkeley, California 94710

Address

37 CFR 1.37B(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the petitioner, the assignee, or other party in interest."

ENCLOSURES



Maintenance Fee Payment



Surcharge under 37 CFR 1.20(l)(2) (fee for filing the maintenance fee petition)



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